

# Montana Non-Judicial Foreclosure Timeline

**Key**  
Federal Law  
State Law

## Days in Default

**30 Days**  
1st Missed Payment

Missed Payment Notice

Servicer makes collection calls

**36 Days**

Servicer must comply with early intervention requirements.

**45 Days**

Servicer must send early intervention notice and comply with continuity of contact.

**60 Days 90 Days**  
2nd and 3rd Missed Payments

90 Days Past Due

30-Day Demand Letter Issued

## Foreclosure Process Begins

**120 Days**

4th Missed Payment

Servicer issues a Notice of Trustee's Sale which must be sent via certified mail at least 120 days prior to the foreclosure sale date.

**150 Days**

5th Missed Payment

**180 Days**

6th Missed Payment

**195 Days**

Servicer must promptly review any loss mitigation application received more than 45 days before a foreclosure sale.

## Foreclosure Sale

**199 Days**

Servicer must publish notice of trustee's sale in newspaper once a week for 3 weeks.

**203 Days**

Servicer must review any **complete** loss mitigation applications received more than 37 days before a foreclosure sale.

**210 Days**

7th Missed Payment

**220 Days**

Servicer must post notice of foreclosure in a conspicuous place on property and satisfy the Affidavit of Posting and the Proof of Publication.

**240 Days**

8th Missed Payment

Foreclosure sale may occur. Borrower is not liable for any deficiency balance and has no right of redemption.

*This process represents the most common foreclosure process in Montana. In most cases, the homeowner has the right to reinstate the loan until the day of the foreclosure sale by paying all back mortgage payments including fees and interest. Servicers have the right to refuse partial payments.*